

ADVISORY COMMISSION ON COASTAL WATERS

TOWN OF DARIEN

JOHN McDONALD, CHAIRMAN
C. LINCOLN JEWETT, VICE CHAIRMAN
WALTER RALEIGH, SHELLFISH
FRANK KEMP, CLERK
WILLIAM CAVERS
FLIP HUFFARD
ROBERT MONRO
JON SHOUEDEL
J. PALMER SPARKMAN
MICHAEL WALLACE



Green's Ledge Light

EX-OFFICIO MEMBERS
JANE BRANIGAN, PARK & REC COMM.
TOM BELL, HARBOR MASTER
CAPT. GARY PAVIA, POLICE DEPT.

Minutes of February 8, 2011 Meeting

NOTE – this meeting was originally scheduled for Wednesday, February 2, but was postponed to this date, Tuesday, February 8, due to Town Hall having been closed due to a snowstorm on Feb. 2nd..

The meeting was called to order at 7:30 pm in Room 213 by Chairman McDonald.

All members of the Commission were present: Chairman McDonald, Vice Chairman Jewett, Commissioners Raleigh, Kemp, Cavers, Huffard, Monro, Shoude, Sparkman and Wallace, as well as Harbor Commissioner Tom Bell.

The minutes of the December 1, 2010 meeting were reviewed and approved.

Chairman's Report

Chairman McDonald noted that the Town of Darien Annual Report for 2008-2009 had been printed, and that page 14 of this document carried the Commission's report.

He reported on the 12/9/10 meeting of the Long Island Sound Study – Citizens Advisory Committee. Among the topics discussed were : a \$3MM fund for wetlands perservations, the future of Plum Island and the EPA LIS water quality program. CT is looking at historical dredging disposal sites in LIS near small harbors, but the problem is that dredging windows are narrowing, causing a squeeze on the business. The Study is asking for a scientific look at these window periods.

The Commission's request for voting privileges for ex-officio members attending meetings was approved by the Board of Selectmen on 12/1/10.

The Commission reviewed without comment the permit applications for : Noroton Yacht Club osprey platform, a Hay Island walkway-pier-float, and shellfish cages in Sargents Cove.

The CT Boaters Advisory Commission met on Feb. 3, reporting that changes to boating regulations are pending legislative approval, expected in April.

There will be a meeting of the LIS Study Citizens Advisory Committee on March 10 in NY City.

Harbor Master's Report

The Harbor Master reported that the harbor is closed for the season and that "all is well."

Shellfish Report

Commissioner Raleigh reviewed matters as described in the report, attached.

Flare/Up!/2011

Commissioner Kemp reviewed the Flare/Up event, scheduled for Saturday May 14, and distributed an operations manual for the event, inviting questions from the Commissioners at the next meeting.

Soundings of Darien Harbor project

Chairman McDonald distributed a copy of a letter addressed to the First Selectman, requesting that funds be provided for a dredging survey, the first stage of a dredging project. A copy of this letter is attached.

Harbor Master's topics concerning future developments

Harbor Master Bell noted that the Boat Club is planning a dredging project. The Commission recommended that these efforts be coordinated in the interests of economy and efficiency at the time of dredging.

Other topics, including mooring stickers, fees, and ordinance changes were discussed, as summarized in the attached report from the Harbor Master.

Mooring Specifications

Commissioner Monro reviewed the proposed changes to the mooring specifications, and will revise the draft specifications to include the recommendations.

Other Business

There was no other business presented for discussion.

Adjournment

There being no further business, the meeting was adjourned at 9:10 pm. The next meeting of the Commission, scheduled for Wednesday March 3, will be canceled unless Vice-Chair Jewett is notified of urgent business that should be discussed. The next meeting after that will be Wednesday April 6, scheduled to be held in Room 213, Town Hall, 7:30 pm

Respectfully submitted

Frank B. Kemp
Clerk

Attachments:

<u>Title</u>	<u>Author</u>
Shellfish Report 2/8/11	Walter Raleigh
Letter to First Selectman re Dredging	Sandy McDonald
Harbor Master Discussion Points	Tom Bell

Shellfish Report 2/8/2011

1/6/2011: Met with David Knauf, Director, Darien Health Dept.:

- Knauf reported that CT Department of Aquaculture's water sampling in Scott Cove found no dangerous levels of e coli in 2010. I confirmed this with our analyst at DA/BA.
- Knauf exploring value of DNA testing (\$2K/test) to help determine whether source of e coli in Darien waters is human or otherwise (geese?). Westport and other towns exploring same. I discussed DNA possibility with DA/BA who said upgrading of Scott Cove would depend on safety of shellfish meat samples, as well as water sample results.
- Health Department sales of recreational shellfishing permits is declining. Five years ago, annual permits sold were about 100. In 2008, 78 were sold. In 2009, 56. In 2010, 49.
- Town counsel has not reported progress on commercial grower permit regulations.

1/22/2011: Attended the "Annual Gathering of Shellfish Commissions," at Sound School, New Haven, sponsored by CT Sea Grant:

- Commission members of CT shoreline towns are invited to this information-sharing meeting. Much of meeting devoted to each commission reporting on recent experience with shellfish bed development, extent of commercial activity and fees charged.
- Some presentations are somewhat technical, such as DA/BA's new procedures to be followed by commissions to reopen a Conditionally Approved growing area after closure by a rain event. Not a concern for Darien, as only a small area of Ziegler's Cove is designated as C.A., and DA/BA will ask commercial harvesters there to provide necessary materials (water and meat samples) to reopen.
- Most towns reported that they have shellfish beds which are leased to commercial shellfish farmers for various fees or barter arrangements. Most beds in Darien's waters are owned by individuals by virtue of long-standing grants, etc.

Note: Darien controls a few beds, not in natural beds, which the BofS may lease to commercials. Additionally, permits could be sold for seed oystering on these natural beds. By State statute, this activity is limited to small boats, hand dredges during the cold months of the year.

- CT DEP is again reworking its process for granting permits for residential docks. One town commissioner reported that regulations under discussion no longer require residents and designers to get a local shellfish commission signoff before submitting an application to DEP, and that if the application meets DEP's minimum guidelines, it will be granted. Perhaps also missing from DEP's requirements is any maximum like the current 4 and 40. Floats up to 160 sq.ft. might also be allowed, given some conditions. This revelation was not received well by Gathering participants, and DEP has since replied that the current state of the new process is only in the form of a draft.

Submitted by Walter Raleigh

ADVISORY COMMISSION ON COASTAL WATERS

TOWN OF DARIEN

JOHN McDONALD, CHAIRMAN
C. LINCOLN JEWETT, VICE CHAIRMAN
WALTER RALEIGH, SHELLFISH
FRANK KEMP, CLERK
WILLIAM CAVERS
ROBERT MONRO
JON SCHOUDEL
PALMER SPARKMAN
MICHAEL WALLACE



Green's Ledge Light

EX-OFFICIO MEMBERS
JANE BRANTIGAN, PARK & REC COMM.
TOM BELL, HARBOR MASTER
CAPT. GARY PAVIA, POLICE DEPT.

To: Dave Campbell, First Selectman- (revised letter)
Cc: Karl Kilduff, Town Administrator

December 21, 2010

Dear Dave,

At our meeting with you, November 17, among the coastal waters issues we discussed was the importance of future re-dredging of the Darien Harbor channel. You asked us for an estimate of the first step, which is the cost of obtaining a permit, and the project's scope for a five-year plan for the Town that you are preparing. This letter is in response to your request.

Darien last dredged the harbor channel in 2001 to 8 ft. MLW. This was necessary in order to keep the harbor operational and safe for the boaters of Darien and their visitors in all stages of the tide and in all kinds of weather. Darien's main harbor is the center of our boating activity and is the home for over 500 boats of all kinds. It is also an exposed harbor open to direct storm influences that create safety concerns due to winds and waves. At this point, an informal survey by our commission indicates that there has been about two feet of silting bringing the depth to about 6 ft MLW. There have been some complaints of groundings at low tide with a sea running. It is clear that that we will have to re-dredge, probably within 5 years in order to keep our harbor viable and safe.

The first steps in such a project are to do a professional survey of the depths and then compute a rough estimate of the dredging needs in terms of cubic yards removed. The next steps will be the development of dredging plans, and the applications for maintenance dredging permits from the CT/DEP and the Army Corps of Engineers. This will require a number of things such as a negotiated number of core samples, lab analysis's, and negotiations on disposal sites. After permit approvals, bids will be requested from dredging companies. In 2001, the Town hired a marine consultant, Mark Jackson of Coastline Consulting in Madison, CT who, as project manager, was excellent in coordinating this complex project including the dredging stage, on budget and on time.

To prepare this estimate, I contacted Mr. Jackson, President of Coastline Consulting, who sent me a letter dated November 30, 2010 (enclosed) outlining the six steps to permits including costs for each step. We estimate the cost for the full project, including the first steps, at \$20,000. This is based on Coastline's six steps of \$10,889, plus \$5,475 estimated other costs that Darien will be paying, totaling \$16,364. Darien pays the costs of permits and the laboratory costs of testing and the core analyses. These are not hard figures until negotiations with the CT/DEP and Army are completed, and fees determined which have been escalating. \$20,000 is our best estimate of the total future costs to obtain permits.

Final dredging costs beyond the permitting cost are estimated at \$200,000 or more, depending upon the scope in cubic yards of the project, which will be refined into plans during the permitting stage. In 2001, the Commission successfully formed a public/private partnership to fund this portion of the project.

Since few grounding incidents have occurred so far, it is probably too early to officially start a full dredging project. However, we think a survey should be budgeted and done in the next year to provide a basis for planning. The cost of the first steps, "Hydrographic Conditions Survey" and "Applications Drawings" to allow realistic planning is \$5,300. developed from Coastline's letter. We propose that these should be conducted in the fall of 2011.

Please let me know if there are any questions. Thank you and the Board of Selectmen for supporting safe boating in Darien.

Sandy McDonald
Sandy McDonald, Chairman

Advisory Commission On Coastal Waters

Town of Darien, CT

February 2011 Meeting

Darien Harbor Master Discussion Points:

- **Town Of Darien Mooring Sticker:**
 - Starting this boating season, all mooring buoys in the Town will be required to display the TOWN OF DARIEN MOORING PERMIT sticker.
 - This sticker will be serialized and tied back into a database
 - This would allow the harbor master and emergency personnel to better understand what boat is tethered to the registered mooring and identify illegal moorings in town harbors.
 - The # would be assigned when the renewal application for 2011 is granted.
- **Mooring Registration Fee:**
 - For the 2011 boating season, impose a \$ 10 fee per mooring registration fee.
 - Fee would be collected by online S/W company
 - Harbor Master would receive about \$ 4.00 per registration to fund activities.
 - About \$ 1,200 /year
 - IMHO, this does not violate the charging for mooring rule imposed by the St. of CT:
 - We are not charging for a mooring.
 - We are charging for the registration process
 - Moorings in all Darien harbors are still “free”.
 - Using an online service, would also gather emergency contact information, manage waiting lists for the harbors/cove, etc. and is just a cleaner, more efficient method.
 - For those that do not have access to the Internet, a manual process is available.
 - FYI – most towns around Darien charge \$ 200-250 per mooring.
 - If Darien were to switch to a “commission and allow these type of fees, funds generated would exceed \$ 60K / year.
- **Require, via Town Regulation, Proof of Boater Owners Insurance:**
 - Required before permit is issued.
 - In my discussion with nearby towns - Greenwich, Stamford and Norwalk- Darien is the only town that does not require POI.
 - We narrowly avoided a disaster in the late Sept. storm when several boats broke free of their moorings. As you know, one boat was scuttled against the rocks - and that boat owner did not have insurance to have the boat removed.
 - It is also not about just protecting the owner's boat, but the other boats that might be damaged.

- **Add a new Town Regulation “defining” the boating season in Darien waters:**
 - Boating season would be defined as April 1st to Nov. 30th
 - Currently there is no time frame for a “boating” season.
 - There is still a boat tethered to a mooring in Darien Harbor
 - There are work vessels still in Darien Harbors
 - Some residents also have swim floats, etc. tethered to their moorings.
 - This would not affect vessels tied to personal docks or authorized commercial vessels.
 - Exceptions can be granted by the Harbor Master
 - This is more of a safety issue for both the boat owner and coastal residential property owners:
 - All “aid” vessels except the town fire and police boats are not in service during the “off season”
 - So rescuing boats or other devices becomes a timing problem
 - Trying to avoid a disaster
- **No Wake Zone Buoy**
 - Darien PD is in the process of obtaining DEP and other approvals necessary for installing a No Wake buoy at the entrance to Zeigler’s Cove.